

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 541 - SB 955**

February 19, 2013

**SUMMARY OF BILL:** Requires any podiatrist, dentist, medical doctor, nurse, optometrist, osteopathic physician, or physician assistant who is indicted in this state for an offense involving the sale or dispensing of controlled substances under state or federal law, to report to the appropriate licensing board within seven days of such indictment. Encourages the district attorneys general and appropriate federal attorneys to alert the appropriate licensing board when such an indictment regarding the sale or dispensing of a controlled substance takes place.

Any failure of a practitioner to submit a report to the appropriate board is grounds for such board to take disciplinary action against the practitioner's license, unless such indictment was sealed and such practitioner could have no actual knowledge of being indicted.

Within fifteen calendar days of receiving a report on an indictment, the appropriate board is required to perform an expedited review of the conduct reported in the indictment. Such review is confidential. If such indictment merits such an expedited investigation, the Department of Health's Office of Investigations shall be given a directive to investigate.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

**Assumptions:**

- This act may require several health-related regulatory boards to perform additional investigations and, as a result, take additional disciplinary action.
- According to the Department of Health, performance of any additional investigations or disciplinary action can be handled within existing resources.
- Pursuant to Tenn. Code Ann. § 4-3-1011, all health related and regulatory boards are required to be self-supporting over a two-year period. The Division of Health Related Boards had a cumulative balance of \$844,197.81 for FY10-11 and \$929,406.74 for FY11-12.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jdb